

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
CIVIL REVISION APPLICATION No 307 of 1996
For Approval and Signature:

Hon'ble MR.JUSTICE M.H.KADRI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?
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ARVINDBHAI MANIBHAI PATEL

Versus

JAYANTIBHAI RANCHHODDAS PATEL

Appearance:

MR MC SHAH for Petitioner

MR DC DAVE for Respondent No. 1

CORAM : MR.JUSTICE M.H.KADRI

Date of decision: 27/09/96

ORAL JUDGEMENT

Rule. Learned advocate Mr. Dhaval C. Dave waives service of Rule on behalf of the opponent. At the request of learned advocates for the parties, this matter is taken up for final hearing today.

Learned advocates for the respective parties made a statement at the Bar that the question involved in this Civil Revision Application is covered by the decision of this Court (Coram: H.L. Gokhale, J.), rendered in Civil Revision Application No. 2028 of 1995, decided on 15th July 1996. In view of the aforesaid judgment of this Court, learned advocates for the parties have agreed to the following order being passed by this Court in this Civil Revision Application.

As the question involved in this Civil Revision Application is covered by the decision of this Court (Coram: H.K. Gokhale, J.), rendered in Civil Revision Application No. 2028 of 1995, decided on 15th July 1996, the impugned order dated 21st January 1996 passed by the

Executing Court, i.e., learned Civil Judge (S.D.), Anand, below Exh.45 in Special Darkhast No. 16 of 1989, is quashed and set aside. Application Exh.45 is allowed and the execution proceedings are stayed till final disposal of First Appeal No. 315 of 1984 which is pending in this court.

Rule is made absolute to the aforesaid extent with no order as to costs.

September 27, 1996 (M.H. Kadri, J.)
(swamy)